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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA; STATES OF CALIFORNIA, COLORADO, CONNECTICUT, DELAWARE, FLORIDA, GEORGIA, HAWAII, ILLINOIS, INDIANA, IOWA, LOUISIANA, MICHIGAN, MINNESOTA, MONTANA, NEVADA, NEW JERSEY, NEW MEXICO, NEW YORK, NORTH CAROLINA, OKLAHOMA, RHODE ISLAND, TENNESSEE, TEXAS, VERMONT, AND WASHINGTON; THE COMMONWEALTHS OF MASSACHUSETTS AND VIRGINIA; AND THE DISTRICT OF COLUMBIA.

ex rel. ZACHARY SILBERSHER,

Plaintiffs,

V.

ALLERGAN, INC., ALLERGAN USA, INC.,
ALLERGAN SALES, LLC, FOREST
LABORATORIES HOLDINGS, LTD., ADAMAS
PHARMA, AND ADAMAS
PHARMACEUTICALS, INC..

Defendants.

Case No.: 3:18-cv-03018-JCS

JOINT CASE MANAGEMENT STATEMENT

Chief Magistrate Judge Joseph C. Spero

Case Management Conference Date:
June 4, 2021

Time: 2:00 P.M.

Place: Courtroom G, 15th Floor
Phillip Burton Federal Building
450 Golden Gate Avenue
San Francisco, CA 94102

Action Filed: April 25, 2018

Pursuant to the Court's January 28, 2021 Order, Dkt. 147, Plaintiff-Relator Zachary Silbersher ("Relator"), on behalf of the United States of America and the Plaintiff States; and Defendants Allergan, Inc., Allergan USA, Inc., and Allergan Sales, LLC, and Forest Laboratories Holdings, Ltd. (collectively, "Allergan"); and Adamas Pharma, LLC and Adamas Pharmaceuticals, Inc. (together, "Adamas") ("Allergan" and "Adamas" together, "Defendants") (Defendants with Relator, the "Parties"), jointly file this Case Management Statement.¹

The Parties refer the Court to the Joint Case Management Statement filed on January 8, 2021 (Dkt. 144), and provide the following case updates pursuant to the Court's Order dated January 28, 2021 (Dkt. 147).

1. Case Status Update:

On January 28, 2021, this Court certified its December 11, 2020 Order for immediate appeal. See Dkt. 147 at 6. On February 8, 2021, Defendants petitioned the United States Court of Appeals for the Ninth Circuit appealing the Court's decision, and on March 9, 2021, the Ninth Circuit Court of Appeals accepted Defendants' petition. March 9, 2021 Order, *Silbersher v. Allergan*, No. 21-15420 (9th Cir.). (Dkt. 149.) The following briefing schedule has been set:

Event	Date
Appellants' Opening Brief	June 11, 2021
Respondents' Response Brief	July 12, 2021
Appellants' Reply Brief	21 days after service of the Response Brief (if filed on July 12, then due August 2)

This case is currently stayed pending the Ninth Circuit's resolution of Defendants' appeal. See Dkt. 147 at 6. The Parties agree to provide the Court with an updated proposed schedule following a decision by the Ninth Circuit of Defendants' appeal.

¹ Allergan plc was originally named as a defendant but was dismissed pursuant to the stipulation of the Parties and Court order. See Dkt. 93.

Dated: May 28, 2021

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ATTESTATION OF FILER

I, Nicomedes Sy Herrera, attest that I have obtained the concurrence of Defendants' counsel as to the substance of this **JOINT CASE MANAGEMENT STATEMENT**. Messrs. Hoffman, Royall, and Partridge have authorized the use of their electronic signatures on this document.

Dated: May 28, 2021

By: /s/ Nicomedes Sy Herrera
Nicomedes Sy Herrera